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AN ADMINISTRATIVE HISTORY  
OF THE RIO GRANDE WILD AND SCENIC RIVER  
WITH FOCUS ON MAJOR CONCERNS AND PUBLIC COMMENT

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June 11, 1988

EXCERPTED FROM: RECORDS AND FILES, RIO GRANDE  
WILD AND SCENIC RIVER, HELD AT BIG BEND NATIONAL PARK.

RAYMOND SKILES, EDITOR  
JOHN MORLOCK  
GEORGE SIMMONS

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## TABLE OF CONTENTS

	Page(s)
Introduction.....	1
Legislative History.....	2-7
Major Concerns.....	8-11
The Alternatives.....	12-13
Public Comment.....	14-17
Summary of Final General Management Plan.....	18
Chronology.....	19-20
Appendix.....	21-27

## INTRODUCTION

After many years of legislative efforts, environmental assessments, planning and public input by individuals and groups holding concern for the future of the Rio Grande River in Southwest Texas, a final General Management Plan was developed to guide management of the Rio Grande Wild and Scenic River.

This paper, produced with impetus by Park Superintendent Jim Carrico, is to serve the purpose of consolidating the events, conditions, and opinions which led to adoption of the 1981 General Management Plan for the Rio Grande Wild and Scenic River.

Legislative and Planning History (From RIGR File-Planning Books)

On October 2, 1968, Public Law 90-542, the Wild and Scenic Rivers Act, was approved.

Section 5.(a)(20) of the Act designates the following segment of the Rio Grande for potential addition to the National Wild and Scenic Rivers System:

The portion of the river between the west boundary of Hudspeth County and the east boundary of Terrell County on the United States side of the river: Provided, that before undertaking any study of this potential scenic river, the Secretary of the Interior shall determine, through the channels of appropriate executive agencies, that Mexico has no objection to its being included among the studies authorized by this Act.

The Act calls for a study to determine the suitability of the stream for inclusion in the National System, and, if the river meets the established criteria, recommendations pertaining to administration and management of the river and its environment.

International Discussions and Establishment of Study Parameters

Shortly after passage of the Wild and Scenic Rivers Act, the Department of the Interior initiated discussions with the Government of Mexico, through the Department of State. In line with delegated authority, late in 1971, a determination was made by the U.S. Section of the International Boundary and Water Commission (IB&WC) and the Bureau of Outdoor Recreation, that of the river reach originally stipulated in the Act, only that segment from Alamito Creek to the east boundary of Terrell County appeared to merit consideration for inclusion in the National System.

The river segment between the west boundary of Hudspeth County and Alamito Creek did not merit further consideration because it was essentially dry, and the 5.3-mile segment above and the 13-mile segment below the Rio Conchos were to be relocated in accord with the Boundary Treaty of 1970.

In January, 1972, the Government of Mexico expressed its willingness to cooperate in a study of that section of the Rio Grande between the Chihuahua-Coahuila boundary on the west and the headwaters of Amistad Reservoir on the east. The Government of Mexico also indicated its desire that the study be undertaken by the International Boundary and Water Commission and that the Commission give priority to maintaining the river as a boundary, stabilizing its course, benefiting from its waters, and to the communications needs between the two countries. In mid-1972, the Department of State accepted the limitations on the study as requested by Mexico.

After further discussions with Mexico late in 1972, it was determined that the United States would study the river and determine appropriate actions for its side. Upon completion of the study the report would be transmitted to the Government of Mexico through the International Boundary and Water Commission for review and comment. Areas of common concern for both countries would be explored after such review by Mexico.

### State Level Background

In May, 1973, Senators Bentson and Tower of Texas co-sponsored Senate Bill 1790. The purpose of this bill was to amend the Wild and Scenic Rivers Act by placing a portion of the Rio Grande in Section 3(a) as a designated component of the National System. The river segment stipulated in the bill extends from the west boundary of Brewster County downstream to Shafter Crossing in Terrell County and would be administered by the Secretary of the Interior. No action was taken on the subject bill.

Interest in protecting free-flowing streams at the State level began in the late 1960's. The Senate Interim Committee on Park and Recreation Facilities, established by the 60th Texas Legislature, recommended the creation of a State system of wild and scenic rivers. Between 1969 and 1973, six bills were introduced to establish such a system; however, none were passed. In 1969, funds were appropriated by the Texas Legislature for a two-year waterway evaluation in order to determine the feasibility of establishing a statewide system of wild and scenic rivers. The responsibility for conducting this study was delegated to the Texas Parks and Wildlife Department. The results of the evaluation indicated that a detailed study should be undertaken to survey Texas streams and develop suggestions for the creation of a Texas Waterways System.

This study, Texas Waterways, indicated that a statewide waterways system is a valid concept for Texas, and a program is needed to give certain waterways priority attention to meet the demands of the public.

Interest by conservation groups in Texas and throughout the United States in the preservation of the Rio Grande as a wild and scenic river has been strong. Numerous articles in both State and national publications were published on the Rio Grande and the need for its protection.

A reconnaissance group led by the Bureau of Outdoor Recreation and including representatives of the National Park Service, U.S. Forest Service, Soil Conservation Service, U.S. Section of the International Boundary and Water Commission, and the Texas Parks and Wildlife Department was formed in March, 1973, to conduct the study called for by the Wild and Scenic Rivers Act.

Public information meetings were held by the reconnaissance group on December 11 and 12, 1973, in Austin and Alpine, Texas, respectively. The meetings were held in order to acquaint the public with possible alternative actions on the Rio Grande, and to obtain assistance in formulating recommendations concerning such alternatives. The majority of comments received at the Austin meeting favored inclusion of the study segment in the National System under Federal administration.

Comments received at the Alpine meeting indicated a preference for no action. Over 700 individuals provided comments subsequent to the meetings with 36 percent preferring no action, 61 percent requesting inclusion in the National System, and 3 percent favoring protection through State and local actions.

Upon the results of the public meetings, the BOR produced two reports, the "Rio Grande Wild and Scenic River Study" (final) and the "Proposed Inclusion of the Rio Grande in the National Wild and Scenic Rivers System," 1976, FES 76-24.

The two reports basically emphasized that the Rio Grande meets established criteria for inclusion in the National Wild and Scenic Rivers System and that legislative action is recommended to include a 191.2 segment of the Rio Grande River from River Mile 842.3 to River Mile 651.1 in the National Wild and Scenic Rivers System under the administration of the National Park Service.

The Government of Mexico, after review of the study report and discussions through the International Boundary and Water Commission, has no objections to the recommendation of the report and perceives no conflicts with such future developments it may adopt on its side of this segment of the river.



On November 10, 1978, the 95th Congress passed Public Law 95-625, "National Parks and Recreation Act." The Act, among other actions, amended the National Wild and Scenic Rivers Act to include a segment of the Rio Grande River in Texas.

## MAJOR PROBLEMS AND ISSUES

A. (From RIGR file: Planning process book, unknown author, probably Project Mgr. Malcom Berg.)

1. The subject of access has arisen in several cases, is the concern of ranch owners as well as that of the wilderness advocates.
2. Very important: land grab - this is a generally held view by a cross-section of residents, one variation being that there would be no compensation from the government, and it is going to be difficult to turn around.
3. Fences, grazing, fishing, the use of motors have been frequent subjects of discussion and concern.
4. Major item: the wilderness proposals for the Big Bend Area. There is a hangover effect that is going to affect the Rio Grande area; that is, generally the wilderness proposals (in Big Bend National Park during the mid-70's) were to lock up areas where it was unnecessary to do so by virtue of its already being in the park system. So we face the general concern and resentment built up through the wilderness proposal. It is also significant that the Rio Grande is a trade-off on the part of Krueger (Senator at the time) in that the stoppage of the wilderness proposal was traded for the acceptance and establishment of the Rio Grande (W. & S.R.).
5. Acreage vs. river mileage and the average of 160 acres per mile. One view is that this is just a means to take more land by juggling acreage per mile. There seems to be two views: One that the Rio Grande river should not be designated within the park since that land is already federal; another is that it should be designated throughout the park rather than just part of it. There is some real question about the validity of the statement that the present boundary, (Coahuila/Chihuahua border) was selected for the purpose stated in the study (1975 Bureau of Recreation); that is, at the Mexican government's behest. Another expressed position is that the National Park Service did not include all of the river in Big Bend because to do so would increase the acreage beyond the 50 percent figure and preclude condemnation. (see item 7 for explanation of "50 % figure")
6. (Paraphrased for clarification) The method of averaging acres-per-mile by including those miles within Big Bend National Park is probably correct as far as the legislation is written, but I have serious questions as to how it will be viewed in the eyes of the public and in particular the local land owner(s).

7. The 50 % clause concerning land acquisition and condemnation as stated in 90-542 says that when 50 % of the land is federally owned or state owned, you cannot condemn. There would appear to be an exception, that condemnation can be used to insure public access or areas needed for development. (\*Ed. note-This 160 ac/mi figure refers to the sum of both fee and less-than-fee acquisitions. See next section for limits on fee acquisition)

8. Another item of concern that will surely come up or already has in several areas is the general tactic (by opponents) of discrediting (our) studies and documents. In particular, the slightest error will be pointed out and issues raised. A real key to our success is that we listen and that our final product reflect very obviously those items of local opinion.

9. David Lime and Associates, of the Forest Service river study group in Minnesota, have expressed a great deal of interest in the Rio Grande because it is a significant river, not yet in the state of crisis management. It can be managed effectively, planning can be done effectively, and this can be a significant contribution to their studies.

10. The international aspect of the river continues to cause concern, particularly with regard to concessioners and insurance, law enforcement, trespass, and camping. (Ed. Note: These issues are addressed in RIGR files SWRO MEMO - Req. for Solicitors legal Review of EA, LAP, GMP, Plans)

11. Land ownership is shifting from private to nonresident. It may be pristine now, but can ranchers preserve it 20-50 years from now without help?

12. Constitutionality of the RIGR inclusion under the Act (P.L. 95-625) has been questioned regarding the language relating to rivers within the nation. The concerns, in essence are: since this one is half within Mexico, is it legal under the Wild and Scenic Rivers Act?

(\*Ed. Note: This refers to the wording, which states "...certain select rivers of the nation..." One view questions the legality of including the Rio Grande because it is shared by two nations).

B. The failure to gain Mexico's agreement to protect it's side of the river was an issue frequently raised in public comment. The 1975 Bureau of Recreation study (RIGR files) outlined international coordination efforts, and contains the official Mexican reply which, summarized, holds no opposition to the W&SR, but is noncommittal on the part of Mexico. -ED.

### C. Fee Acquisitions:

(From RIGR file SWR MEMO - Request for Solicitors legal Review of EA, LAP, GMP Plans)

The Wild and Scenic Rivers Act limits total acreage per mile of the river to 320 acres on both sides. No more than 100 acres per mile can be purchased in fee.

When the lower Rio Grande was designated as a wild and scenic river, Congress took cognizance of the fact that only one bank of the river is within the territorial limits of the United States. Accordingly, the total acreage per mile of the river was limited to 160 acres. However, congress did not provide for a concomitant halving of allowable fee title purchases.

This omission can be interpreted in two ways. First, since Congress halved the total acreage per mile of the river, it must have intended to halve the fee title acreage as well. This interpretation can be supported by the general intent of Congress to allow an average of 50 acres of fee title on each side of each wild and scenic river.

On the other hand, it may be argued that Congress intended to allow 100 acres of fee acquisition per river mile, as provided for in the main body of the Act. Congress knew what it was doing when it halved the total acreage per mile from 320 to 160, and if it had wanted to cut fee acquisitions from 100 acres down to 50, it certainly could have done so.

The second interpretation is the more reasonable and persuasive, and it is adopted by this office. Therefore, it is our conclusion that an average of 100 acres per mile of the river may be purchased in fee.

-Gayle E. Manges, Field Solicitor, Santa Fe. September 9, 1980-

### C: "Wild" and "Scenic" Designations

The 1975 BOR survey established, and the congress passed as part of the enabling legislation, the designated "wild" and "scenic" sections of the riverway. Controversy ensued over these designations, with some making the point that existing and proposed uses and developments in those areas are contrary to the basic act defining the designations.

Specifically, the areas between Boquillas Canyon's exit and La Linda, and from San Francisco Canyon to Indian Creek (from James Harrison's public comments) have numerous roads paralleling and near the river.

Some viewed this as a an extension of the "land grab" issue, and that the NPS had stretched the definition of "Wild" designation in order to control adjacent private lands.

#### D: Summary

Obviously, land acquisition plans became the major issue to landowners and their supporters. The 1981 Draft Land Acquisition Plan only served to increase their fears. The DLAP takes a dictatorial tone which gives the impression that outright fee taking of the land is preferred, with a few exceptions granted.

An excerpt from 1981 DLAP: "In some areas it is not essential to eliminate all private uses within the boundaries. The important consideration in the land acquisition program is that certain lands be acquired by the Federal Government for public use and enjoyment and effective administration, accompanied by suitable control of the remaining lands within the boundaries..." (\*underlining as published in DLAP).

Thus, the tone was set, and throughout the remainder of the planning stage, due to the public response, the team had to back away from that stand. It had to repeatedly defend itself against accusations of "land grabbing," even after changing its position to a policy of very little fee simple land.

## THE ALTERNATIVES

### A: Introduction to Alternatives.

The planning team's Environmental Assessment, issued September 1980 in final form, presented two alternatives. Alternative one, titled "no action," and Alternative two, describing facilities and development plans of a more extensive nature. Land acquisition plans for resource protection were not included, and weren't made public until the Draft Land Acquisition Plan was published in January 1981.

Alternative 3, was introduced by a group of citizens led by James Harrison, of Euliss, Texas. Harrison, a member of one of the affected landowner families, and supporters included alternative 3 in public comment meetings and written comments in the form of a letter campaign for the alternative.

As an apparent response to public meetings and discussions, the "Concerned citizens alternative 4" received letter support.

### B: Description of NPS alternatives.

	ALTERNATIVE 1 ( <u>NO ACTION</u> )	ALTERNATIVE 2 ( <u>PREFERRED</u> <u>ALTERNATIVE</u> )
PRIMARY VISITOR CONTACT	none	At U.S. 385/Rt. 2627 Intersection
ADMINISTRATIVE UNIT	*Black Gap Panther Junction	*Black Gap Panther Junction Persimmon Gap Satellite housing *Dryden Crossing Sanderson Dryden Langtry
DESIGNATED RIVER ACCESS	Existing	La Linda area Dryden Crossing Lozier Canyon
ROAD IMPROVEMENTS	none	Approximately 35 miles

\* Order of site preference

C: Description of Alternative 3.

No primary visitor contact facility would be provided

The NPS would provide an administration unit at Panther Junction by adding to existing facilities at Big Bend National Park

Present and existing roads and access points to the river would be utilized consistent with present private and commercial use

No interest in land would be acquired by the federal government

Wild and Scenic designations would be revised to reflect the law

Historical usage would be allowed to continue on all of the river

D: Description of Alternative 4.

The river should remain in the Wild & Scenic River System

Keep it wild & with little development

Use by permit, have NPS patrols, acquire areas for resource protection

Continue historic use, allow free public access by agreement with landowner(s), remove roads and structures in the Lower Canyons

## PUBLIC COMMENT

### A: Background

Public comment was generated as a result of the following process:

1. The 1975 Final Study produced by the Bureau of Recreation, the references, comments, and recommendations it contained produced the impetus and first guidance for establishing the Wild and Scenic River.
2. Public input and comments received during public meetings in Alpine, and Sanderson (Dec. 1979), and one hundred fifty-eight returned questionnaires were incorporated into planning efforts.
3. As a result of 1 & 2 (above), the Environmental Assessment was produced, which contained NPS alternatives for action.
4. Public comments were accepted until March 20, 1981.

### B: Results

(From RIGR files, D18 ENVIRONMENTAL ASSESSMENT Summary of Public Comments)

As of March 20, 1981, 469 written comments have been received. Of these, 419 supported Alternative II, but suggested some changes and 8 supported Alternative I. There was no support for a remote visitor contact station except perhaps at Persimmon Gap. Limited access and minimal development were favored. An overriding concern was for preservation of the river environment, particularly in the Lower Canyon area and protection of cultural and natural resources.

In addition, substantial comment and input was received and considered in the form of a third alternative. This is the proposal of a group of concerned Brewster and Terrell County property owners and supporters. This was a preprinted proposal, distributed by the landowners for indication for support by signature and sent to the NPS. As of March 20, 1981, 585 copies with 585 signatures have been received as supportive of Alternative III with 7 received with a nonsupportive position.



Alternative III is similar to NPS Alternative I and suggests no primary visitor center, would provide an administrative unit at Big Bend National Park, would utilize present and existing roads and access points consistent with present private and commercial use, no interest in land would be acquired by the Federal Government, and Wild and Scenic designations would be revised to reflect the law, and historical usage be allowed to continue. Other substantial comment has been received in similar fashion. A prepared statement, the concerned citizens alternative (4), listing 10 major areas of concern were considered. As of March 20, 1981, 272 copies with 304 signatures have been received supporting (Alternative 4).

During the week of March 2-6, 1981, seven public meetings were held in Texas at Sanderson, Alpine, Austin, San Antonio, Houston, and Dallas/Fort Worth.

At Sanderson and Alpine 168 people attended the meetings and 34 people addressed one or more subjects. The general atmosphere was that of distrust of the Federal Government, support for local (landowner) control, and over-whelming support for the Terrell/Brewster County concerned citizens Alternative 3.

Alternative 2 gained some support in San Antonio where 90 people attended and 21 spoke. The majority of participants favored no development and limited (or no) federal control. This general feeling prevailed at Houston and at Dallas/Fort Worth where 138 attended meetings and 60 spoke.

There was general agreement through all of the meetings that:

1. "Wild and Scenic" classification on the river should be reviewed and changed to reflect actual land use patterns.
2. There should be no visitor facility built at Junction 385/2627.
3. Development should be minimal.
4. No federal land acquisition.

Many of the comments were not specific to the river or its management but rather reflected a general mistrust of government, concern for too much federal spending and fear of federal control.

A total of 100 workbooks have been returned with 24 favoring less river access and 17 the same as proposed. All wanted no more than the development proposed and 19 less. Regarding the distribution of the visual corridor, 23 favored concentration in the Lower Canyon and 14 called for selected locations. The subject of access fees was split with 23 for fees and 26 free.

The Texas State Soil and Water Conservation Board opposes the project and any reduction of private property rights, questioned the expenditure of tax money, questioned the fact of the river being in jeopardy, and feels that there is enough public land along the Rio Grande. They recommended the use of existing public land for facilities, no acquisition of private land by the Federal Government, continuation of historical use, utilization of existing roads and access points to the river consistent with present private and commercial use, and suggested revision of the various wild and scenic classifications.

The Texas Historical Commission made several suggestions concerning working in the cultural resource section, concurred with need for survey and evaluation, offered to assist, and generally favored Alternative II with changes.

The Texas and Southwestern Cattle Raisers Association sent comments opposing disenfranchisement of owners from their property, questioned the need for protection of the lower Canyons, pointed out the international nature of the project, and asked that the project be tabled and that Congress exempt the Rio Grande River from the Wild and Scenic Act.

The International Boundary and Water Commission noted receipt of the documents for review and distribution to the Mexican Government.

The Lone Star Chapter (Austin) of the Sierra Club indicated Strong support for Alternative II except for suggesting changes in the wild and scenic classifications and does not support Alternative III.

A resolution from the Terrell County Commissioners Court supported Alternative III.

The Houston group of the Sierra Club expressed support for Alternative II and listed concerns about cultural resources, monitoring of the river environment and the international aspect of the river.

The Big Bend Law Enforcement Association supported alternative III.

The West Texas Chamber of Commerce expressed support for Alternative II.

The NPS proposal as listed in this Finding Of No Significant Impact (FONSI) is in substantial agreement with the comments as far as continuing traditional use, protection of the river, limited facilities, access that utilizes existing developed areas, no initial visitor contact station, and the location of the administrative unit at Panther Junction.

There is disagreement over acquiring a federal interest in private lands, although the National Park Service has repeatedly said our interest will be minimal and only to facilitate use and management and that our preference is to achieve this interest by less than fee approaches.

Additionally, much of the adverse comments received seem to be opposing the inclusion in the Wild and Scenic River System (included by Congress in November 1978 as a result of the Bureau of Outdoor Recreation Study), questions the legality and appropriateness of the various Wild and Scenic designations (done in the original B.O.R. study for inclusion and accepted by congress), and the advisability or legality of the inclusion of a river that forms an international boundary in the Wild and Scenic River System. (Accepted by Congress by its inclusion in 1978.)

## SUMMARY OF FINAL GENERAL MANAGEMENT PLAN

For purposes of this discussion, this summary is restricted to part 4 of the Final General Management Plan: The Plan

### A. Boundary Establishment and Interest in Adjacent Lands.

1. Seek no interest in land through such means as fee simple title, reserved use and occupancy, or easements. Rather, it is the intent of the National Park Service to establish agreements with landowners to preserve existing natural and cultural values of the Wild and Scenic River and the adjacent land area, and to provide for the public use of the river.

2. The NPS will establish the boundary of the Wild and Scenic River to be from the international boundary to the gradient boundary on the United States side.

3. The river bed of the section of the Wild and Scenic River downstream from Big Bend National Park is the property of the state of Texas. The NPS will discuss with the state of Texas the possibility of donating the river bed to the National Park Service.

### B: Management Zoning

The entire wild and scenic river will be zoned NATURAL, with wild and scenic zones designated in the following areas.

Wild: Talley to Solis  
Boquillas Canyon entrance to  
Boquillas Canyon exit  
Reagan Canyon to San Francisco Canyon

Scenic: Remainder of Wild and Scenic River

Two areas will be zoned public access points pending agreements with landowners. They are: Dryden Crossing, south of Dryden, Texas; and La Linda, on the Mexican side of the river.

The Park Development Zone at Persimmon gap, in Big Bend National Park will contain new housing and serve as a contact for both the Wild and Scenic River and Big Bend National Park. All administrative and Maintenance facilities for the Wild and Scenic river will be housed in existing facilities at Panther Junction.

## CHRONOLOGY

- 1968: Oct. 2. Public law 90-542 enacted, establishing the National Wild and Scenic River System. This legislation authorized a study of the Rio Grande, along with 27 other rivers in the nation, for potential inclusion into the System. Designated study area to be from the west boundary of Hudspeth Co. to E. Boundary of Terrell Co.
- 1973: Bureau of Recreation notifies NPS of study to determine whether Rio Grande should be included in Wild and Scenic Rivers system. BOR requests that NPS appoint a representative to study commission. BIBE Superintendent Joseph Carrithers appointed.
- Dec. 11 Public information meetings held in Alpine, TX  
& 12 and Austin, TX by study commission.
- 1975: Study commission issues Final Rio Grande Wild and Scenic River Study, recommends inclusion of study area into system.
- 1978: Nov. 10 Congress passes public law 95-625, amending National Wild and Scenic Rivers Act to include a segment of the Rio Grande River.
- 1979: Jul. 19 NPS has already been given responsibility, planning team assembled. Team begins effort by issuing first newsletter, introducing process by which RIGR establishment is to take place.
- Nov. Questionnaires for public input distributed as preliminary to Environmental Assessment.
- Dec. Public comment period for input to environmental assessment begins. Comments accepted through April 1980.
- 1980: Sep. Environmental Assessment, based on public response to questionnaires and 1975 Bureau of Recreation Study is issued. Includes NPS proposal of alternatives.

1981: Jan. Draft Land Acquisition Plan issued.

Mar. 2 Public comment meetings held in Sanderson,  
- 6 Alpine, San Antonio, Houston, Dallas. Public  
comment open through Mar. 20

Nov. Final General Management Plan/Development  
Concept plan approved by NPS Southwest Regional  
Director.

## APPENDIX

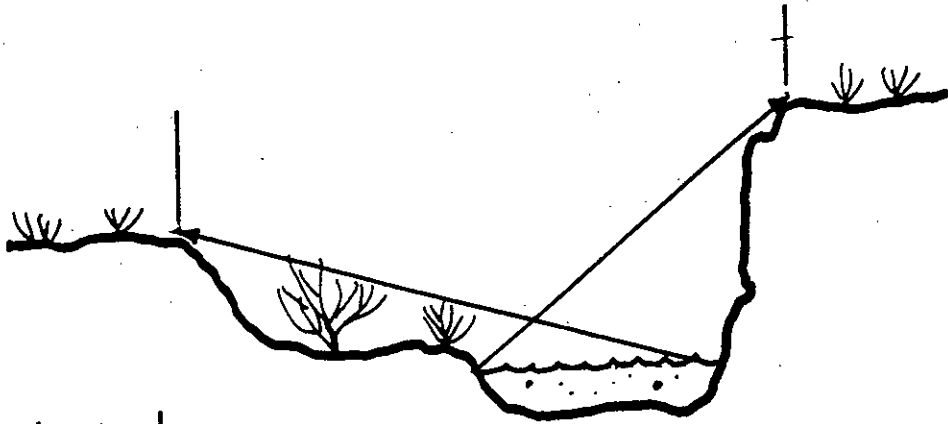
- i.....Additional Impacts and  
definitions related to the  
act.
- ii.....Graphic description of a  
Visual Corridor.
- iii.....Bibliography of Recent Rio  
Grande Wild & Scenic River  
Studies.
- iiii.....Interested and Involved Persons  
- Roster & Addresses - 1981

## ADDITIONAL IMPACTS AND AN EXPLANATION OF CERTAIN TERMS RELATED TO THE ACT

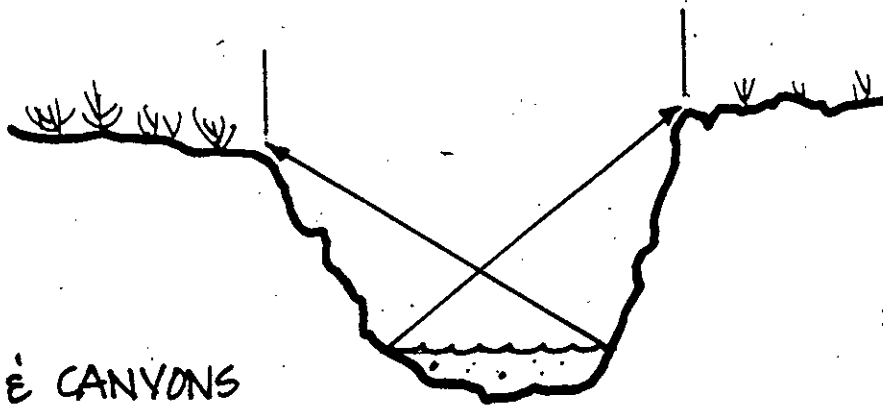
- Landowner Safeguards as Provided in the Federal Act - The clear intent of the Act is to minimize intrusions upon land owners by limiting the amount of land acquisition, particularly in fee, and by limiting use of condemnation. Management needs for land acquisition will be determined by the general management plan.
- Eminent Domain - If more than 50 percent of the land within a designated river corridor is publicly owned - condemnation cannot be used for the purchase of land in fee simple. (Eminent domain can still be used for the purchase of scenic or access easements, however.)
- Fee Simple - is the purchase of a complete package of legal rights. Where land is purchased in fee simple, the Wild and Scenic Rivers Act requires that land owners living on their property be allowed the option of retaining a life tenancy.
- Scenic Easement - means the government purchases various development rights, which, if exercised, could adversely impact the natural values of the adjacent river or trail. The land owner is fully compensated for the rights he gives up. Easements are by no means the only less-than-fee acquisition option. A variety of devices exist which can offer particular advantages to particular situations.
- Mining - subject to valid existing claims, the minerals in federal lands which are part of the system and constitute the bed or bank of the river designated as wild, are withdrawn from all forms of appropriation under the mining laws and from the operation of mining leasing laws.
- Hunting and Fishing - states retain jurisdiction and responsibility for fish and wildlife, except in cases where the administering Secretary may establish zones where no hunting is permitted for public safety purposes, or where lands involved are part of a national park or monument.
- Grazing - the Wild and Scenic Rivers Act stipulates that purchase of a scenic easement shall not affect, without the owner's consent, any regular use (such as grazing) exercised prior to the acquisition of the easement.
- Cultural Resources - Executive Order 11593 and Section 106 of the National Historic Preservation Act of 1966 requires that all areas and structures of cultural significance be given special consideration.
- Rare and Endangered Species - Public Law 93-205 requires the Service to cooperate with other agencies and organizations in the management of rare and endangered wildlife species.

In addition, the federal government is to comply with a whole host of Acts to include some of the following: The Federal Water Pollution Act, The Clean Air Act, Executive Order 11988, Flood plain management, The National Environmental Policy Act, The Land and Water Conservation Fund Act, Solid Waste and Disposal Act and others that are pertinent to this planning effort.

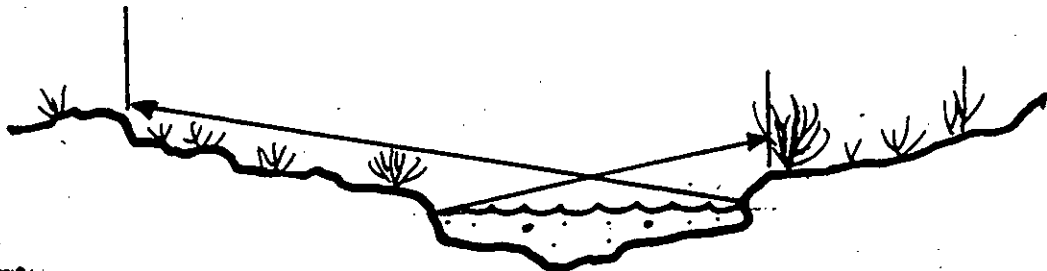




1. VEGA & CLIFF



2. CLIFFS & CANYONS



3. VEGA

TYPICAL VALLEY CROSS SECTIONS

**VISUAL CORRIDOR**

RIO GRANDE WILD & SCENIC RIVER, TEXAS  
UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE

## ARCHEOLOGICAL

1977. An Archeological Reconnaissance in the Lower Canyons of the Rio Grande. Texas Historical Commission, Office of the State Archeologist, Austin.

Cloud, A. 1988. Archeological Notes of a few sites in the Lower Canyons. Unpublished report on file with Division of Resources Management, Big Bend National Park.

## CULTURAL

Tunnell, C. and R. J. Mallouf. 1975. Cultural Resources in the Canyons of the Rio Grande. Report presented at the Conference on the Archeology and History of Northeastern Mexico and Texas, Monterrey, Nuevo Leon, Mexico. Texas Historical Commission, Office of the State Archeologist, Special Report Number 17.

1982. Photographic Log of Structures along the Lower Canyons. Big Bend National Park in-house document.

## LEGAL

MOU Between NPCA and BIBE (Draft) Concerning 15.28 acres near the Gerstacker Bridge, La Linda.

Memo: Title Search Information (RIGR) by Ms. McKinney.

Memo: Summary of Land Ownership Bordering RIGR (Campability)

Memo: Locality of RIGR Land Ownership.

List of Property Owners and broken into Brewster and Terrell Counties.

Memo: Meeting with Field Solicitor and Regional Staff on Matters Concerning Management of RIGR.

Priority for Agreements/Leases/Contracts

## NATURAL

1977. The Lower Canyons of the Rio Grande. Texas Natural Areas Survey, Austin Texas.

Ditton, R.B., D.J. Schmidly, W.J. Boeer, A.R. Grafe. 1977. A Survey Analysis of Recreational and Livestock Impact on the Riparian Zone of the Rio Grande in Big Bend National Park. Proceedings: River Recreation Management and Research Symposium. General Technical Report NC-28. U.S. Forest Service.

The Honorable Bob Armstrong  
Commissioner, General Land Office  
1700 N. Congress Avenue  
Austin, TX 78701

John Baker, DDS  
115 East Woodin Blvd.  
Dallas, TX 75216

Mr. George Baker  
2011 West Eighth  
Fort Stockton, TX 79735

Mrs. Hannelore Banister, Off. Mgr.  
Office of Tom Loeffler  
1006 Junction Hwy.  
Kerrville, TX 78028

Mr. David Baxter, Editor  
Texas Parks & Wildlife  
4200 Smith School Road  
Austin, TX 78744

George R. Baumli, Engineer  
Investigation/Planning Div.  
Internat'l Boundary/Water Comm.  
4110 Rio Bravo  
El Paso, TX 79902

Mr. James D. Bell, Dir. Parks  
Texas Dept. Parks & Wildlife  
4200 Smith School Road  
Austin, TX 78744

Mr. Bob Block, Staff Asst.  
Office of Lloyd Bentsen  
Suite 912, Federal Bldg.  
Austin, TX 78701

Ms. Boone Boies, Off. Mgr.  
Office of Tom Loeffler  
727 E. Durango, Rm B-209  
San Antonio, TX 78206

Mr. Glen Boydston  
Texas Parks & Wildlife  
4200 Smith School Road  
Austin, TX 78744

Mr. Sam Brownlee  
Texas Dept. Parks & Wildlife  
1507 N. 7th St.  
Alpine, TX 79830

Mr. Bob Burleson  
First Federal Bldg.  
P. O. Box 844  
Temple, TX 76501

Mr. Murry Burnham  
Marble Falls, TX 78654

Mr. Ted Clark, Dir. Wildlife  
Texas Dept. Parks & Wildlife  
4200 Smith School Road  
Austin, TX 78744

Mr. John W. Craddock, Jr.  
Staff Asst., Off. of John Tower  
Rm. 961, Federal Building  
300 E. 8th Street  
Austin, TX 78701

Mr. Dwight Deal  
Director of Education  
Chihuahuan Desert Research Inst.  
P. O. Box 1334  
Alpine, TX 79830

Mr. Roy Deaton  
Box 52  
Dryden, TX 78851

Robert Ditton  
Texas A & M University  
College Station, TX 77843

The Honorable Joseph Friedkin  
Internat'l Boundary/Water Comm.  
200 IBWC Bldg.  
4110 Rio Bravo  
El Paso, TX 79902

Ken Grissom  
Houston Post  
4747 Southwest Freeway  
Houston, TX 77001

Mr. Robert Haraden, Supt.  
Glacier National Park  
West Glacier, MT 59936

Mr. Steve Harris  
Far Flung Adventures  
P. O. Box 31  
Terlingua, TX 79852

Mr. James D. Harrison  
503 Trailwood Dr.  
Euless, TX 76039

Mr. John D. Harrison  
206 E. Mansfield  
Sanderson, TX 79848

Mr. S. Dudley Harrison  
Box 668  
Sanderson, TX 79848

Mr. Gene Hendryx  
KVLV Radio Station  
Box 779  
Alpine, TX 79830

Mr. James J. Kaster  
Office of the Governor  
State Capital  
Austin, TX 78711

Dr. James Kitchen  
Box 4169  
Lubbock, TX 79409

Honorable Bob Krueger  
Box 911  
New Braunfels, TX 78130

The Honorable Tom Loeffler  
U. S. House of Representatives  
1213 Longworth House Off. Bldg.  
Washington, DC 20515

Kay Love  
Persimmon Gap Ranch  
Box 387  
Marathon, TX 79842

Mr. Billy Moore, Staff Asst.  
Office of Lloyd Bentsen  
U. S. Seante  
240 Russell Senate Office Bldg.  
Washington, D. C. 20510

Thomas Mottl  
Box 3012  
Taos, NM 87571

Dr. James Moyer  
11017 Gary Player  
El Paso, TX 79935

The Honorable Susan G. McBee  
Box 2  
Del Rio, TX 78840

Mr. John Oaks  
1542 East Avenue  
Katy, TX 77450

Dick Parshall, Resource Planner  
Comprehensive Planning Branch  
Texas Parks & Wildlife Dept.  
4200 Smith School Road  
Austin, TX 78744

Mr. Robert M. Paschal, Off. Mgr.  
Office of Tom Loeffler  
P. O. Box 170  
San Angelo, TX 76902

Kirk Patterson  
410 Larkwood  
San Antonio, TX 78209

Ty Probasco  
1001 Preston  
Room 959  
Houston, TX 77002

Lowell Rhodes  
Rhodes Welding Co.  
Box 17  
Penwell, TX 79776

Gregg Ring, President  
The Randolph Company  
1018 Rosine Street  
Houston, TX 77019

Mr. Dave Riskind, Resource Mgmt.  
Texas Dept. Parks & Wildlife  
4200 Smith School Road  
Austin, TX 78744

Jim D. Roberts  
Texas Parks & Wildlife Dept.  
4200 Smith School Road  
Austin, TX 78744

Charles Schnabel  
6471 Hart Lane  
Austin, TX 78731

Paul Silber, Jr.  
8015 Broadway, Suite 103  
San Antonio, TX 78209

Mr. Bill Sims  
Texas Sheep & Goat Raisers Assoc.  
P. O. Box 2290  
San Angelo, TX 76902

The Honorable W. E. (Pete) Snelson  
319 N. Colorado Street  
Midland, TX 79701

Ms. Susan Souby  
River Recreation Assoc. of Texas  
P. O. Box 12734  
Austin, TX 78711

E. H. Swaim  
Box 1  
Eden, TX 76837

Mr. Charles Travis, Exec. Dir.  
Texas Parks & Wildlife Dept.  
4200 Smith School Rd.  
Austin, TX 78744

The Honorable John Tower  
U. S. Senate  
142 Russell Senate Office Bldg.  
Washington, DC 20510

Jack Watts  
Box 548  
Van Horn, TX 79855

West Texas Chamber of Commerce  
155 Hickory  
Abilene, TX 79601

Honorable Richard White  
Room 146 U. S. Courthouse  
El Paso, TX 79901

Chambers of Commerce  
Alpine, Texas  
Marfa, Texas  
Marathon, Texas  
Ft. Stockton, Texas  
Ft. Davis, Texas